

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

No. 1:19-cv-00007-CDA-VCO

**ANSWER AND AFFIRMATIVE
AND OTHER DEFENSES IN
RESPONSE TO THE SECOND
AMENDED COMPLAINT**

Defendant Bank of Beirut and the Arab Countries SAL (“**BBAC**” or the “**Bank**”) by its undersigned counsel, DLA Piper LLP (US), as for its Answer and Affirmative and Other Defenses to the Second Amended Complaint (the “**Complaint**”), states as follows:

BBAC denies any allegation in the Complaint not expressly admitted herein. The Bank specifically denies that: (i) it is liable to any Plaintiff under the civil remedies provision of the Anti-Terrorism Act, 18 U.S.C. § 2333 (“**ATA**”); (ii) it committed an act of international terrorism that gave rise to Plaintiffs’ injuries; (iii) it factually or proximately caused such an act of international terrorism; (iv) it aided and abetted a person who committed such an act of international terrorism; or (v) it conspired with any person to commit such an act of international terrorism.

transfers that originated and/or were remitted in foreign jurisdictions that the Bank is currently constrained from answering by foreign bank confidentiality laws.¹

NATURE OF THE ACTION

1. In response to paragraph 1 of the Complaint, BBAC admits this action is brought under the ATA and otherwise denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

2. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 2 of the Complaint.

3. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 3 of the Complaint.

4. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 4 of the Complaint.

5. BBAC denies the allegations in paragraph 5 of the Complaint.

6. BBAC denies the allegations in paragraph 6 of the Complaint.

7. BBAC denies the allegations in paragraph 7 of the Complaint.

8. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 8 of the Complaint.

9. BBAC denies the allegations in paragraph 9 of the Complaint.

¹ “[C]riminal statutes governing bank secrecy in a number of foreign jurisdictions prohibit disclosing the [foreign financial information] sought by” plaintiffs. Br. for the United States as Amicus Curiae, *Arab Bank, PLC v. Linde, et al.*, No. 12-1485, 2014 WL 2191224, at *16-17 (S. Ct. May 23, 2014) (further noting that these statutes “reflect legitimate sovereign interests in protecting foreign citizens’ privacy and confidence in the nations’ financial institutions.”) (citations omitted) (emphasis supplied).

10. BBAC denies the allegations in paragraph 10 of the Complaint.

11. BBAC denies the allegations in paragraph 11 of the Complaint.

12. BBAC denies the allegations in paragraph 12 of the Complaint.

HISTORICAL BACKGROUND

13. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 13 of the Complaint.

14. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 14 of the Complaint.

15. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 15 of the Complaint.

16. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 16 of the Complaint.

17. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 17 of the Complaint.

18. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 18 of the Complaint.

19. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 19 of the Complaint.

20. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 20 of the Complaint.

21. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 21 of the Complaint.

22. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 22 of the Complaint.

23. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 23 of the Complaint.

24. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 24 of the Complaint.

25. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 25 of the Complaint.

26. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 26 of the Complaint.

27. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 27 of the Complaint; and otherwise refers the Court to the referenced report for a full statement of its contents.

28. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 28 of the Complaint.

29. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 29 of the Complaint.

30. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 30 of the Complaint.

31. In response to paragraph 31 of the Complaint, BBAC refers the Court to the referenced designation and publication for a full statement of their contents.

32. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 32 of the Complaint.

33. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 33 of the Complaint.

34. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 34 of the Complaint.

35. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 35 of the Complaint.

36. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 36 of the Complaint, and otherwise refers the Court to the referenced publication for a full statement of its contents.

37. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 37 of the Complaint.

38. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 38 of the Complaint, and otherwise refers the Court to the referenced publication for a full statement of its contents.

39. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 39 of the Complaint.

40. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 40 of the Complaint.

41. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 41 of the Complaint.

42. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 42 of the Complaint.

43. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 43 of the Complaint.

44. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 44 of the Complaint.

45. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 45 of the Complaint.

46. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 46 of the Complaint.

47. BBAC denies the allegations in paragraph 47 of the Complaint.

THE STRUCTURE OF LEBANON'S ECONOMY

48. BBAC admits that Lebanon is a predominantly importing country and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 48 of the Complaint given the absence of any definition in the Complaint as to the meaning Plaintiffs ascribe to the terms “historically”, “primarily” and “heavily weighted”.

49. In response to paragraph 49 of the Complaint, BBAC refers the Court to the referenced July 2, 2009 Statement of the International Monetary Fund for its full content.

50. In response to paragraph 50 of the Complaint, BBAC refers the Court to any statements made by the Central Bank of Lebanon for their content.

51. BBAC denies the allegations in paragraph 51 of the Complaint.

52. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 52 of the Complaint.

53. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 53 of the Complaint.

54. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 54 of the Complaint.

55. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 55 of the Complaint except refers to the alleged statement of the U.S. Department of the Treasury for its full content.

56. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 56 of the Complaint.

57. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 57 of the Complaint.

58. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 58 of the Complaint and refers the Court to ratings of Moody's, Standard and Poor's and Fitch for their full content.

59. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 59 of the Complaint.

60. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 60 of the Complaint.

61. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 61 of the Complaint.

62. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 62 of the Complaint.

63. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 63 of the Complaint.

64. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 64 of the Complaint.

65. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 65 of the Complaint.

66. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 66 of the Complaint.

67. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 67 of the Complaint.

68. BBAC admits that it maintains correspondent banking relationships with U.S. financial institutions in New York and otherwise denies the allegation in paragraph 68 of the Complaint.

69. BBAC denies the allegations in paragraph 69 of the Complaint.

70. BBAC denies the allegations in paragraph 70 of the Complaint.

71. BBAC denies the allegations in paragraph 71 of the Complaint.

72. BBAC denies the allegations in paragraph 72 of the Complaint.

73. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 73 of the Complaint and otherwise refers the Court to the referenced article for a full statement of its contents.

74. BBAC denies the allegations in paragraph 74 of the Complaint.

75. BBAC denies the allegations in paragraph 75 of the Complaint.

76. BBAC denies the allegations in paragraph 76 of the Complaint.

77. BBAC denies the allegations in paragraph 77 of the Complaint.

78. BBAC admits the allegations in paragraph 78 of the Complaint.

79. BBAC admits that Lebanon's Special Investigation Commission is empowered to investigate suspicious financial transactions and freeze assets and otherwise denies the allegations in paragraph 79 of the Complaint.

80. BBAC denies knowledge or information as to the publication referred to in paragraph 80 of the Complaint and would refer the Court to that publication for its content.

81. BBAC denies the allegations in paragraph 81 of the Complaint.

82. BBAC denies the allegations in paragraph 82 of the Complaint.

83. BBAC denies the allegations in paragraph 83 of the Complaint.

84. BBAC denies the allegations in paragraph 84 of the Complaint.

85. BBAC denies the allegations in paragraph 85 of the Complaint.

86. BBAC denies the allegations in paragraph 86 of the Complaint.

THE LEBANESE CANDIAN BANK INVESTIGATION

87. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 87 of the Complaint.

88. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 88 of the Complaint.

89. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 89 of the Complaint.

90. In response to paragraph 90 of the Complaint, BBAC refers the Court to the referenced publication of the alleged finding for its content.

91. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 91 of the Complaint.

92. BBAC denies the allegations in the first sentence of paragraph 92 and denies knowledge or information sufficient to form a belief as to the truth of the allegations in the second sentence.

93. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 93 of the Complaint and otherwise refers the Court to the referenced civil action for its content.

94. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 94 of the Complaint and refers the Court to the referenced civil complaint and other documents filed with the court in that proceeding for their full content.

95. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 95 of the Complaint.

96. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 96 of the Complaint.

97. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 97 of the Complaint and otherwise refers the Court to the referenced publication for a full statement of its contents.

98. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 98 of the Complaint and otherwise refers the Court to the referenced publication for a full statement of its contents.

99. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 99 of the Complaint and otherwise refers the Court to the referenced publication for a full statement of its contents.

100. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 100 of the Complaint and otherwise refers the Court to the referenced publication for a full statement of its contents.

101. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 101 of the Complaint and otherwise refers the Court to the referenced publication for a full statement of its contents.

102. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 102 of the Complaint and otherwise refers the Court to the referenced publication for a full statement of its contents.

103. BBACs denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 103 of the Complaint and otherwise refers the Court to the referenced publication for a full statement of its contents.

104. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 104 of the Complaint and otherwise refers the Court to the referenced publication for a full statement of its contents.

105. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 105 of the Complaint with respect to accounts at other banks and is otherwise constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations with respect to accounts allegedly held by it.

106. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 106 of the Complaint.

107. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 107 of the Complaint and otherwise refers the Court to the referenced publication for a full statement of its contents.

108. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 108 of the Complaint.

109. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 109 of the Complaint.

110. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 110 of the Complaint and otherwise refers the Court to the referenced court filings for a full statement of their contents.

111. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 111 of the Complaint.

112. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 112 of the Complaint and otherwise refers the Court to the referenced statute for a full statement of its contents.

113. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 113 of the Complaint and otherwise refers the Court to the referenced statutes for a full statement of their contents.

114. BBAC denies the allegations in paragraph 114 of the Complaint and otherwise refers to the statute for a full statement of its contents.

115. BBAC denies the allegations in paragraph 115 of the Complaint in so far as they purport relate to it and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations.

116. BBAC denies the allegations in paragraph 116 of the Complaint in so far as they purport to relate to it and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations.

JURISDICTION AND VENUE

117. In response to paragraph 117 of the Complaint, BBAC refers all questions of law to the Court.

118. In response to paragraph 118 of the Complaint, BBAC refers all question of law to the Court.

119. In response to paragraph 119 of the Complaint, BBAC refers all question of law to the Court.

120. BBAC denies the allegations in paragraph 120 of the Complaint in so far as they purport to relate to it and otherwise denies knowledge or information sufficient to form a belief as to the truth of the allegations.

THE DEFENDANTS

121. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 121 through 260 of the Complaint.

122. BBAC admits the allegations in paragraph 261 of the Complaint.

123. BBAC admits the allegations in paragraph 262 of the Complaint.

124. BBAC admits the allegations in paragraph 263 of the Complaint.

125. BBAC admits the allegations in paragraph 264 of the Complaint.

126. BBAC admits the allegations in paragraph 265 of the Complaint but refers the Court to the referenced 2016 annual report for its full content.

127. BBAC admits the allegations in paragraph 266 of the Complaint.

128. BBAC admits the allegations in paragraph 267 of the Complaint.

129. BBAC admits that it completed a questionnaire in 2007 as alleged in paragraph 268 of the Complaint but refers the Court to the referenced questionnaire for its full content.

130. BBAC admits the allegations in paragraph 269 of the Complaint but refers the Court to the referenced 2002 Circular for its full content.

131. BBAC admits the allegations in paragraph 270 of the Complaint.

132. BBAC admits the allegations in paragraph 271 of the Complaint.

133. BBAC admits the allegations in paragraph 272 of the Complaint.

134. In response to paragraph 273 of the Complaint, BBAC admits that it settles foreign exchange transactions through the accounts of settlement members at CLS-New York, and otherwise denies the allegations.

135. BBAC denies the allegations in paragraph 274 of the Complaint.

136. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 275 through 307 of the Complaint.

ISLAMIC REVOLUTIONARY GUARD CORPS

137. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 308 through 324 of the Complaint.

HEZBOLLAH

138. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 325 through 327 of the Complaint.

139. In response to paragraph 328 of the Complaint, BBAC refers the Court to the designation and/or publication for their full content.

140. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 329 through 333 of the Complaint.

141. In response to paragraphs 334 through 336 of the Complaint, BBAC refers the Court to the designation and/or publication for their full content.

142. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 337 through 387 of the Complaint.

143. In response to paragraphs 388 and 389 of the Complaint, BBAC refers the Court to the designation and/or publication for their full content.

144. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 390 through 393 of the Complaint, except refers the Court to the referenced designations and/or publication for their full content.

145. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 394 through 397 of the Complaint.

146. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 398 of the Complaint, except refers the Court to the referenced designation for its full content.

147. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 399 of the Complaint.

148. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 400 of the Complaint, except refers the Court to the referenced designation for its full content.

149. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 401 through 405 of the Complaint.

150. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 406 through 416 of the Complaint.

151. In response to paragraph 417 of the Complaint, BBAC refers the Court to the referenced designations and/or press release for their full content.

152. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 418 of the Complaint.

153. In response to paragraphs 419 through 422 of the Complaint, BBAC refers the Court to the referenced designations and/or press release for their full content.

154. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 423 of the Complaint.

155. In response to paragraph 424 of the Complaint, BBAC refers the Court to the referenced congressional testimony for its full content.

156. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 425 of the Complaint.

157. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 426 of the Complaint.

158. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 427 through 431 of the Complaint.

159. In response to paragraph 432 of the Complaint, BBAC refers the Court to the designation for its full content.

160. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 433 through 435 of the Complaint.

161. In response to paragraph 436 of the Complaint, BBAC refers the Court to the designation and/or publication for their full content.

162. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 437 through 439 of the Complaint.

163. In response to paragraphs 440 through 442 of the Complaint, BBAC refers the Court to the designations and/or publication for their full content.

164. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 443 through 445 of the Complaint.

165. In response to paragraph 446 of the Complaint, BBAC refers the Court to the publication for its full content.

166. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 447 through 453 of the Complaint except refers the Court to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys and refers the Court to the U.S. referenced designation and/or publication for their full content.

167. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 454 through 455 of the Complaint except refers the Court to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

168. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 456 through 472 of the Complaint except refers the Court to the Official Commerce Registry of Lebanon which publicly lists the names of a registered

corporation's officers, directors and attorneys and to the U.S. referenced designation and/or publication for their full content.

169. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 473 through 477 of the Complaint.

170. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 478 through 662 of the Complaint except refers the Court to the U.S. referenced designations and/or publications for their full content and to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

171. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraph 663 of the Complaint regarding accounts allegedly held by it, otherwise denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations and refers the Court to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

172. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 664 through 667 of the Complaint except refers the Court to the U.S. referenced designations and/or publications for their full content and to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

173. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraph 668 of the Complaint regarding accounts

allegedly held by it and otherwise denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

174. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 669 through 685 of the Complaint except refers the Court to the U.S. referenced designations and/or publications for their full content and to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

175. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraph 686 of the Complaint regarding accounts allegedly held by it and otherwise denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

176. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 687 through 707 of the Complaint except refers the Court to the U.S. referenced designations and/or publications for their full content and to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

177. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraphs 708 and 709 of the Complaint regarding accounts allegedly held by it and otherwise denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations, except refers the Court to the U.S. referenced designations and/or publications for their full content and to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

178. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 710 through 717 of the Complaint except refers the Court to the U.S. referenced designations and/or publications for their full content and refers the Court to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

179. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraph 718 of the Complaint regarding accounts allegedly held by it and otherwise denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations, except refers the Court to the U.S. referenced designations and/or publications for their full content and to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

180. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegation in paragraphs 719 through 758 of the Complaint except refers the Court to the U.S. referenced designations and/or publications for their full content and to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

181. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraph 759 of the Complaint regarding accounts allegedly held by it and otherwise denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

182. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 760 through 796 of the Complaint, except refers the Court to the

U.S. referenced designations and/or publications for their full content and to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

183. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraph 797 of the Complaint regarding accounts allegedly held by it.

184. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 798 through 1061 of the Complaint, except refers the Court to the U.S. referenced designations and/or publications for their full content and refers the Court to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

185. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraph 1062 of the Complaint regarding accounts allegedly held by it.

186. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1063 through 1068 of the Complaint.

187. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1069 through 1126 of the Complaint except refers the Court to the U.S. referenced designations and/or other publications for their full content.

188. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraph 1127 of the Complaint regarding accounts

allegedly held by it and otherwise denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

189. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1128 of the Complaint except refers the Court to the U.S. referenced designations and/or other publications for their full content.

190. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraph 1129 of the Complaint regarding accounts allegedly held by it and otherwise denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

191. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1130 through 1185 of the Complaint except refers the Court to the U.S. referenced designations and/or other publications for their full content.

192. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraph 1186 of the Complaint regarding accounts allegedly held by it and otherwise denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

193. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1187 through 1226 of the Complaint except refers the Court to the U.S. referenced designations and/or other publications for their full content and to the Court to the Official Commerce Registry of Lebanon which publicly lists the names of a registered corporation's officers, directors and attorneys.

194. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraph 1227 of the Complaint regarding accounts allegedly held by it.

195. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1228 through 1261 of the Complaint, except refers the Court to the alleged U.S. government civil complaint in paragraph 1236 and U.S. designation in paragraph 1261 for their full content.

196. BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraph 1262 of the Complaint regarding accounts allegedly held by it.

197. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in 1263 of the Complaint, except refers the Court to the U.S. designation for its full content.

198. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1264 through 1300 of the Complaint, except is constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in paragraphs 1272 and 1274 regarding accounts allegedly held by it.

199. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1301 through 1310 of the Complaint, refers the Court to the alleged designations in these paragraphs for their full content, and is otherwise constrained by applicable foreign bank confidentiality laws from admitting or denying the allegations in these paragraphs regarding accounts allegedly held by it.

200. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1311 through 1349 of the Complaint.

201. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1350 through 1802 of the Complaint.

202. BBAC denies the allegations in paragraph 1803 of the Complaint.

203. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 1804 of the Complaint.

204. In response to paragraph 1805 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity

205. In response to paragraph 1806 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains accounts for any of the referenced entities and otherwise denies the allegations in this paragraph.

206. In response to paragraph 1807 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity and otherwise denies the allegations in this paragraph.

207. In response to paragraph 1808 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity and otherwise denies the allegations in this paragraph.

208. In response to paragraph 1809 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an

account for the referenced entity, refers the Court to the U.S. designation for its full content and otherwise denies the allegations in this paragraph.

209. In response to paragraph 1810 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity and otherwise denies the allegations in this paragraph.

210. In response to paragraph 1811 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity.

211. In response to paragraph 1812 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity and otherwise denies the allegations in this paragraph.

212. BBAC denies the allegations in paragraph 1813 of the Complaint.

213. In response to paragraph 1814 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity and otherwise denies the allegations in this paragraph.

214. In response to paragraph 1815 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity and otherwise denies the allegations in this paragraph.

215. In response to paragraph 1816 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity and otherwise denies the allegations in this paragraph.

216. In response to paragraph 1817 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity and otherwise refers to Court to the Official Commerce Registry of Lebanon.

217. In response to paragraphs 1818 through 1820 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity, refers to Court to the Official Commerce Registry of Lebanon, and otherwise denies knowledge or information to form as belief as to the truth of the allegations that Mr. Serhan is a Hezbollah procurement agent who purchased technology and equipment for Hezbollah.

218. In response to paragraph 1821 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity and otherwise refers to Court to the Official Commerce Registry of Lebanon.

219. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 1822 of the Complaint.

220. In response to paragraph 1823 of the Complaint, BBAC is constrained by applicable foreign bank confidentiality laws from admitting or denying that it maintains an account for the referenced entity.

221. BBAC denies the allegations in paragraphs 1824 and 1825 of the Complaint.

222. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1826 through 1864 of the Complaint.

223. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1865 through 1890 of the Complaint.

224. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1891 through 2001 of the Complaint.

225. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 2002 through 2085 of the Complaint.

226. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 2086 through 3497 of the Complaint.

227. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 3498 through 5685 of the Complaint.

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

CIVIL LIABILITY UNDER 18 U.S.C. § 2333(a) FOR VIOLATIONS OF 18 U.S.C. § 2339B CONSTITUTING ACTS OF INTERNATIONAL TERRORISM

228. In response to paragraphs 5686 through 5696 of the Complaint, BBAC states that this claim has been dismissed and that no responsive pleading to it is therefore required.

SECOND CLAIM FOR RELIEF

CIVIL LIABILITY UNDER 18 U.S.C. § 2333(d) FOR AIDING AND ABETTING HEZBOLLAH, A FOREIGN TERRORIST ORGANIZATION

229. In response to paragraph 5697 of the Complaint, BBAC repeats and re-alleges each and every Answer in the foregoing paragraphs.

230. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 5698 of the Complaint.

231. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 5699 of the Complaint.

232. BBAC admits the allegations in paragraph 5700 of the Complaint.

233. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 5701 of the Complaint.

234. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 5702 of the Complaint.

235. BBAC denies the allegations in paragraph 5703 of the Complaint.

236. BBAC denies the allegations in paragraph 5704 of the Complaint.

237. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 5705 of the Complaint.

238. BBAC denies the allegations in paragraph 5706 of the Complaint.

239. BBAC denies the allegations in paragraph 5707 of the Complaint.

240. BBAC denies the allegations in paragraph 5708 of the Complaint.

241. BBAC denies the allegations in paragraph 5709 of the Complaint.

242. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 5710 of the Complaint.

243. BBAC denies the allegations in paragraph 5711 of the Complaint.

244. BBAC denies the allegations in paragraph 5712 of the Complaint.

THIRD CLAIM FOR RELIEF

**CIVIL LIABILITY UNDER 18 U.S.C. § 2333(d) FOR DEFENDANTS' ROLE IN
HEZBOLLAH'S CONSPIRACY TO MURDER AMERICANS IN IRAQ**

245. In response to paragraph 5713 of the Complaint, BBAC repeats and re-alleges each and every Answer in the foregoing paragraphs.

246. BBAC denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 5714 of the Complaint.

247. BBAC denies the allegations in paragraph 5715 of the Complaint.

248. BBAC denies the allegations in paragraph 5716 of the Complaint.

249. BBAC denies the allegations in paragraph 5717 of the Complaint.

250. BBAC denies the allegations in paragraph 5718 of the Complaint.

251. BBAC denies the allegations in paragraph 5719 of the Complaint.

252. BBAC denies the allegations in paragraph 5720 of the Complaint.

253. BBAC denies the allegations in paragraph 5721 of the Complaint.

FORTH CLAIM FOR RELIEF

**SUCCESSOR LIABILITY AGAINST
SOCIÉTÉ GÉNÉRALE DE BANQUE AU LIBAN SAL**

254. Paragraphs 5722 through 5735 of the Complaint allege a claim against Société Générale de Banque au Liban SAL only and, accordingly, do not require a response by BBAC.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

255. The Complaint fails to state a claim for which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

256. The Complaint must be dismissed because the Court lacks personal jurisdiction over BBAC.

THIRD AFFIRMATIVE DEFENSE

257. Plaintiffs' claims are barred, in whole or in part, by plaintiffs' lack of standing.

FOURTH AFFIRMATIVE DEFENSE

258. Plaintiffs' claims are barred, in whole or in part, by the intervening acts, wrongs, omissions and/or negligence of other individuals and entities.

FIFTH AFFIRMATIVE DEFENSE

259. To the extent that Plaintiffs have suffered damages, any such damages were not caused by the conduct of BBAC, nor were Plaintiffs' alleged injuries a foreseeable consequence of the Bank's conduct.

SIXTH AFFIRMATIVE DEFENSE

260. To the extent that Plaintiffs have already recovered or will from other persons for the injuries alleged by them, they are barred from seeking duplicative recovery from the Bank.

SEVENTH AFFIRMATIVE DEFENSE

261. Plaintiffs' claims are barred by 18 U.S.C. § 2336 because they were injured during the course of an armed conflict between the United States and Iraqi military forces known as the Second Gulf War.

ADDITIONAL AFFIRMATIVE DEFENSES

262. Because the Complaint is couched in vague and conclusory terms and fails to conform to the pleading requirements of Federal Civil Procedure Rule 8, BBAC cannot presently evaluate all of the affirmative defenses that may otherwise be applicable to one or more of the

claims alleged therein. BBAC expressly reserves the right to amend this Answer and raise additional Affirmative Defenses on this basis, and on such basis as may otherwise be established during discovery and by the evidence to be adduced.

PRAYER FOR RELIEF

Wherefore, BBAC asks this Court to enter judgment in its favor and against Plaintiffs on all claims asserted in the Complaint, dismiss such claims with prejudice, award the Bank its attorneys' fees and costs in this action, and grant the Bank such other and further relief as is just and proper.

Dated: New York, New York
September 8, 2022

Respectfully submitted,

DLA PIPER LLP (US)

By: /s/ Jonathan Siegfried
Jonathan Siegfried
Jeffrey D. Rotenberg
Erin Collins
DLA Piper LLP (US)
1251 Avenue of the Americas
New York, NY 10020
212-335-4500
Jonathan.Siegfried@us.dlapiper.com
Jeffrey.Rotenberg@us.dlapiper.com
Erin.Collins@us.dlapiper.com

*Attorneys for Defendant
Bank of Beirut and The Arab Countries SAL*